



## REDMOND PLANNING COMMISSION

Roy Captain, Chair | Sherri Nichols, Vice-Chair  
Judy East | Aaron Knopf | Vidyanand Rajpathak  
Denni Shefrin | Aparna Varadharajan

### MINUTES FOR JULY 8, 2020

**COMMISSIONERS PRESENT:** Chairperson Captain, Vice-Chairperson Nichols  
Commissioners East, Knopf, Rajpathak, Shefrin,  
and Varadharajan

**STAFF PRESENT:** Jeff Aken, Judy Fani, Beckye Frey, and Beverly  
Mesa-Zendt, Planning Department

**EXCUSED ABSENCE:**

**RECORDING SECRETARY:** Carolyn Garza, LLC

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#### CALL TO ORDER:

The virtual meeting was called to order at 7:00 p.m. by Chairperson Captain.

#### APPROVAL OF THE AGENDA

MOTION to approve the Agenda by Commissioner Knopf. MOTION seconded by Vice Chairperson Nichols. The MOTION passed unanimously.

#### ITEMS FROM THE AUDIENCE:

Ms. Frey stated that one comment had been forwarded via email to the Commission for the Public Hearing from Mr. Tom Hinman, and four other individuals had requested to call in and speak during the Public Hearing. There were no speakers with items outside the Public Hearing subject matter.

**Public Hearing, Policy Amendments to PARCC Plan (Parks, Arts, Recreation, Culture, and Conservation), Parks and Trails ADA (Americans with Disabilities Act) Transition Plan, Tree Canopy Strategic Plan and Facilities Strategic Management Plan**

Mr. Aken presented a recap of the details.

Chairperson Captain asked if there were questions and there were none.

Chairperson Captain asked for clarification regarding the email comment from Mr. Hinman. The date of the offline presentation forwarded was April 2, 2013. Mr. Hinman also stated that comments submitted nearly one month ago are not in documents provided by staff.

Chairperson Captain asked for the opinion of staff regarding the April 2, 2013, PowerPoint. Mr. Aken stated not having seen the PowerPoint submitted but had seen the email from Mr. Hinman. The PowerPoint presentation in question would have been before the current Tree Canopy Strategic Plan effort was launched in 2017.

Chairperson Captain stated that the email was addressed to the Parks and Trail Commission and Planning Commission, and copied to Ms. Frey, Mr. Aken, and Mr. Gary Lee, dated July 3, 2020. Chairperson Captain asked that staff review the PowerPoint and return to the Commission.

Ms. Frey replied that the PowerPoint presentation arrived after the meeting preparation had occurred but was currently linked to the City website materials.

Commissioner Shefrin stated that the email of Mr. Hinman recommends considering fees other surrounding cities implement and states the importance of process transparency. Chairperson Captain asked Mr. Aken to request clarification regarding the presentation date from Mr. Hinman.

The Public Hearing was opened by Chairperson Captain.

Ms. Rosemarie Ives, former Redmond Mayor, and Council Member asked to speak regarding the Tree Canopy Strategic Plan. Ms. Ives supports the goals of the plan, particularly regarding the conservation and retention of significant trees. Upon reviewing the Planning Commission Minutes, there is no specific mention of retention and protection of trees. The goal of the City is for 40 percent tree canopy by 2049 and existing is at 38 percent, including 900 acres of forest outside the City limits. For accuracy, the percentage should be lowered to reflect only the tree canopy within City limits where the environmental benefits accrue. The City has been overly permissive in allowing significant landmark trees to be removed over the past five years in the Tree Regulations Update. The same information should be reviewed from ten years ago. Throughout the plan, the focus is on planting new trees and an over-assumption that the City can plant out of canopy loss in order to meet the goal, but science and research do not support the theory. There is nothing in the plan which speaks specifically to retention and preservation. There is no mention of how zero net loss of significant trees will be achieved in the implementation plan. There is no accounting of the number of trees removed, retained, or the number of new plantings required. There is no plan to monitor maintenance or assess the success

or mortality of previous plantings on public property. Newly planted trees must reach a specific size before benefits are contributed. Trees are important for aesthetics, clean air, and CO2 emissions reduction, and preserving and protecting existing trees is the best method to maximize tree benefits, especially in Urban Centers where the population per acre is very dense.

Ms. Shelly Bowman stated serving on the Parks and Trails Commission but that comments would be made as a private citizen. Ms. Bowman supports the Tree Canopy Strategic Plan amendment to the Comprehensive Plan, and with the amendment urged the Planning Commission to revise the permitting code to ensure the 40 percent tree canopy goal is reached in 2050. The planting of trees is being outpaced by removal. The Growth Management Act can be adhered to and, at the same time, the 40 percent tree canopy goal met. Ms. Bowman would submit a letter with detailed suggestions, but the highlights were:

1. To consider developing a stakeholder group of developers, private owners, City staff, arborists and interested citizens for input
2. Best Practices of both neighboring and distant cities be reviewed
3. Public information comment be provided regarding tree removal and mitigation details prior to large project final approvals
4. Provide transparent quarterly metrics and analysis
5. Update the 35 percent significant tree retention to 40 percent
6. Ensure enforcement of planting and tree survivability
7. Clearly define the replacement of tree types, sizes, and survival rates
8. Establish a tree definition and replacement ratio for trees larger than six inches and smaller than 30 inches
9. Remove dead, dying and hazardous trees as a free pass tear down
10. Increase in the in-lieu rate to \$500 or more or perhaps eliminate the option
11. Be transparent regarding the in-lieu fees collected and uses
12. Increase the ratio of landmark tree replacement
13. Explore neighborhood goals
14. Rally and educate the public on united goals

Ms. Bowman expressed that there are many ways to close the tree gap and that the Planning Commission will succeed with code revisions which will ensure tree canopy goals will be met.

Mr. Captain asked for the address of Ms. Bowman, and Ms. Bowman replied 6605 - 146<sup>th</sup> Avenue Northeast, Redmond, Grasslawn Neighborhood.

Mr. James Terwilliger, 16150 Northeast 93<sup>rd</sup> Way, Redmond, stated serving on the Parks and Trails Commission but that comments would be made as a private citizen. Mr. Terwilliger stated that at the beginning of 2020 the continent of Australia was on fire and despite other crises this year, action is required now in every possible capacity toward climate issues. The current tree canopy percentage of 38 percent includes outlying areas such as the Watershed, and while the areas contribute in many positive ways, the contribution is not in the same way as true urban forests. The actual tree canopy in Redmond is approximately 33 percent. Regardless, the canopy coverage is lower than needed and decreasing.

1. Redmond has the lowest barrier to tree removal of any municipality in the region at \$250 per tree in code
2. A fee-in-lieu of tree replacement is a reduction in canopy coverage by definition
3. Redmond is currently behind on enforcing agreed-upon replacement trees
4. A failure to plant agreed upon replacement trees for tree removal is also, by definition, a reduction in the tree canopy coverage

The suggestion is to remove the fee-in-lieu option for tree removal and require tree replacements to occur prior to allowing tree removal. Doing so will establish a tree canopy coverage floor, a statement that environmental health matters in Redmond. While neighboring cities have fee-in-lieu options, one City must remove the option first, setting a vision for climate and livability.

Mr. Gary Smith, 4805 162<sup>nd</sup> Avenue Northeast, Redmond, stated that emphasis on tree protection should occur during review of development proposals. There is an emphasis in Regulation on compliance for single-family residences regarding tree removal. In 2013, 25 net acres of trees were removed on Northeast 116<sup>th</sup> Street, and seven years later photography shows that the loss continues, and growth has not caught up. On Avondale Road, the Keller Mitigation Bank will take several years but will replace the prior 25 acres when mature. Neighboring cities such as Kirkland, which has recently completed a seven-year process to approve a Tree Canopy Strategic Plan, should be cooperated with. Mr. Smith stated speaking as a citizen, but also able to help from the Parks and Trails Commission.

Ms. Frey stated that there were no further speakers.

Chairperson Captain stated that the Public Hearing would be left open until the next Planning Commission meeting on July 22, 2020.

### **Study Session, Docket Process Code Rewrite**

Ms. Fani stated that concerns expressed by the Planning Commission, staff, Council members, and applicants were being addressed. A Public Hearing will be held on July 22, 2020. The process schedule was explained. Council action is anticipated on October 20, 2020. There are three unresolved issues on the Issues Matrix and four sections of red-lined code that require review.

Ms. Fani began with a redlined code. New revisions to add clarity has been added to *Who May Apply* regarding initiating Comprehensive Plan amendment applications and to a two-year limitation that does not apply to City Council. Chairperson Captain stated that the verbiage appears contradictory: C.i. contradicts 3.a. Commissioner Knopf and Vice-Chairperson Nichols replied understanding the verbiage. Commissioner Shefrin stated that both sets of language may not be necessary. Chairperson Captain replied that the verbiage in C.i. was the confusing passage. Commissioner East stated that the second and third commas are unnecessary.

Ms. Fani continued with the Final Review of Docketed Proposals. Commissioner Knopf stated that at *Council can reject, or accept, in whole or in part, the recommendation of the Planning*

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*Commission*, there was not a need for a comma at *reject or*. Ms. Fani noted the suggested change. Ms. Fani then continued to present new clarifying language for the threshold criteria.

Vice Chairperson Nichols asked for the experience of the City of Bellevue regarding unnecessary barriers in the application process. Ms. Fani replied that neighboring parcels affected are brought into the process to provide a voice; if a property will be affected by an action by others, more analysis occurs.

Ms. Mesa-Zendt stated that a site-specific rezone will always include notification requirements per State laws. The process prevents spot zoning actions, an extra threshold so that larger land-use patterns can be considered. Vice Chairperson Nichols stated concern regarding the verbiage, however, specifically in relation to a neighborhood veto, in example regarding affordable housing. Commissioner Knopf stated that the new amendment is difficult to understand as a layperson. Ms. Mesa-Zendt replied that items were left in the proposed code for the Commission to decide what should remain; number six is existing language. Chairperson Captain stated that number seven says more but does not explain more than what number six already does. Ms. Mesa-Zendt stated that the change could be abandoned. Ms. Fani replied that the value of number seven would be the last phrase. Commissioner East agreed with Commissioner Knopf. Commissioner Rajpathak stated that in number six, the term *nearby* should be clarified specifically. Ms. Mesa-Zendt reviewed code and discovered an error at *vi.* in a strike-through. Chairperson Captain asked if number seven is the only choice available. Vice Chairperson Nichols replied that the choices are the strike-through, number six or number seven and Ms. Mesa-Zendt replied correct, or a combination of the three; the Commission can express the desired elements and staff will adjust verbiage.

Vice Chairperson Nichols stated agreeing with Commissioner Rajpathak regarding a specific definition of the term *nearby*. Ms. Fani replied that there is no RZC glossary definition of *near*, *close*, or *nearby*. Ms. Mesa-Zendt replied that at minimum, the notification buffer, 500 feet, is implied. Chairperson Captain stated that the term *adjoining* would be limiting and that a specific definition of *nearby* or a change in terminology was needed. Chairperson Captain asked if changing the term *nearby* to *notification buffer* would be acceptable, and Ms. Fani replied at a minimum. Chairperson Captain suggested adding the phrase *at a minimum*. Commissioner Knopf agreed.

Commissioner Varadharajan asked for clarification regarding the intent of number six and Ms. Mesa-Zendt replied that neighbors have a right to speak which can influence decision making; number six is a threshold in evaluation criteria to cross prior to hearing from neighbors. For example, issues regarding a multifamily project adding 20 units an acre next to a single-family detached unit. Commissioner Knopf stated liking number six but asked for clarification in number seven if a precedent could be set in a change finding. Ms. Mesa-Zendt replied that there are other geographic boundaries besides rezones that might occur in an urban center expansion; number seven captures the expansion question. Chairperson Captain asked if number seven could be revisited and Ms. Mesa-Zendt replied yes, and three clean options reflecting comments can be brought back to the Commission. Commissioner Shefrin asked if the term *compatible* rather than *shared characteristics* may create ambiguity but realized number seven will be

revisited; wording can be fine-tuned to specifics. Chairperson Captain stated that different punctuation will help the understanding of the sentence.

Commissioner Rajpathak asked how the rubric would be applied if various residential zone densities such as R4 and R20 have the shared characteristics of residences. Ms. Mesa-Zendt replied that the criterion presents a situation that is deliberately ambiguous for flexibility, meant to guide but not require and would include City assessment combined with public comment. Ms. Fani replied that location, traffic patterns, topography, and other considerations come to bear during the conversation.

Chairperson Captain stated that staff would bring number seven back, rephrased for understanding, and that the meeting should move forward.

Ms. Fani continued with number eight. Commissioner Knopf asked if number eight is necessary as the situation had been addressed previously. Vice Chairperson Nichols replied that number eight was worthwhile, specifically calling out no net loss of housing capacity. Commissioner Knopf asked if number eight could then be shortened. Ms. Fani suggested simplifying as well as renumbering so that number eight would then fall under number two for better flow. Chairperson Captain agreed. Commissioner Varadharajan asked if there are other situations that the Comprehensive Plan mandates that should be included. Commissioner Shefrin asked if one example would be the protection of the Manufacture Park zoning designation. Chairperson Captain asked about the term *especially* referring specifically to housing capacity. Ms. Fani stated that currently and for the foreseeable future, housing is a high-priority topic in the City and suggested that it may be prudent to keep the phrase in the criterion. Chairperson Captain suggested simplification for understanding. Commissioner Rajpathak commented that net housing capacity is not the only criteria but also the type of housing. Chairperson Captain stated believing the net housing capacity covered all and did not need to be broken into types. Vice Chairperson Nichols agreed with Chairperson Captain. Ms. Fani replied with the situation of a prior applicant who changed the type of occupants more than once within a request for a land zone change from single-family to multifamily; the type of housing is irrelevant at the Planning Commission level as Development Services comes into play later after a full development application is submitted.

Ms. Fani continued to the next criterion, addressing significantly changed conditions since the last pertinent Comprehensive Plan map or text was amended. Rewording is around the types of possible change beyond anticipated consequences of a policy such as transit-oriented developments (T.O.D.). The Commission had no questions.

Ms. Fani stated that no changes are suggested to number eleven. Chairperson Captain asked if the proposed amendments are on the website and Ms. Fani replied yes, Attachment A to the Technical Committee report.

Chairperson Captain stated that there were three items on the Issues Matrix. The first issue from Commissioner Shefrin was regarding the fee structure and refunds; Commissioner Shefrin stated that the issue could be closed.

The second issue from Commissioners East, Knopf, and Chairperson Captain was regarding a new proposed criterion regarding considerations around staff resources and budget. Commissioner Captain was satisfied with the response. Commissioner East stated continued concern that given this criteria, some applications could be chosen over others and questioned how the Planning Department would prioritize applications when the required research and analysis are equal.. Ms. Frey replied that the Planning Commission applies the criteria to each application, and prioritizes them at that time. For example, as there is an important need for housing, the priority now is housing-related concerns over other matters. Each year there is flexibility, but the Planning Commission evaluates and makes a proposal. Chairperson Captain stated being satisfied that time invested and cost overall were being considered in the final decision as to prioritizing applications, in addition to the comment of Ms. Frey. Ms. Mesa-Zendt replied that a lesser priority project can be recommended for the following year. Commissioner Knopf stated being satisfied closing the issue but with one concern in verbiage, that *determining* should be *determination*. Ms. Fani acknowledged the correction.

Chairperson Captain stated being satisfied with closing issue number three. Ms. Fani stated that staff is researching what criteria would be consistent with the authority provided to the City Council by RCWs and findings will be shared at an upcoming Planning Commission meeting.

Chairperson Captain stated that there will be a Public Hearing and Study Session on July 22, 2020, and thanked all involved for hard work and patience.

### **Staff and Commissioner Updates**

Ms. Frey had no updates.

The Commission members had nothing further to share.

### **ADJOURNMENT:**

MOTION to adjourn by Vice Chairperson Nichols. MOTION seconded by Commissioner Knopf. The MOTION passed unanimously.

The meeting adjourned at 9:01 p.m.

Minutes Approved On:

7/24/2020

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Planning Commission Chair

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*Roy Captain*  
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